



PPG Industries, Inc.
P.O. Box 191 New Martinsville, West Virginia 26155 USA Telephone: (304) 455-2200

J. Thomas Horan
Manager, Environmental Control
Natrium Plant
Chemicals Group

September 15, 2000

RECEIVED

SEP 26 2000

RCRA Compliance &
Enforcement Branch (3WC31)

Certified Mail Return Receipt Requested

Kenneth J. Cox
U.S. Environmental Protection Agency – Region III
RCRA Compliance and Enforcement Branch (3WC31)
1650 Arch Street
Philadelphia, Pennsylvania 19103

Dear Mr. Cox:

Subject: Notice of Violation Response – Compliance Evaluation Inspection, June 16, 2000, EPA ID No. WVD004336343

This letter is in response to the subject Notice of Violation received August 30, 2000, regarding a drum containing reactive waste that was being accumulated in a satellite area in the Carbon Disulfide Department at the PPG Industries, Inc., Natrium facility. As stated in the inspection report write up of the joint CEI inspection performed by the U.S. Environmental Protection Agency Region III and WV Department of Environmental Protection on June 16, 2000, a drum used to accumulate reactive waste in a satellite area was observed to be not labeled as containing 'hazardous waste' or other words that identify the contents of the container as required by 40 CFR §262.34(c)(1)(ii). For additional clarification, the drum used in this area is used to accumulate waste oils that may contain carbon disulfide and if so, would be classified as a characteristic flammable waste D001 per §261.21. This incident was discussed at the time with both the EPA and WVDEP inspectors and corrected within 15 minutes as noted in the inspection report. PPG feels that this was an isolated incident and certainly is not representative of the hazardous waste handling management practices in place at the Natrium facility.

As a follow up to this incident and actions taken to ensure future compliance, PPG has revised the applicable Carbon Disulfide Department Operating procedures to further address the labeling requirements per 40 CFR §262.34(c)(1)(ii) and refresher training on the procedure revisions has been provided to the Operators.

If you have any questions, please feel free to give me a call at (304) 455-2200 extension 3310.

Sincerely,

J. Thomas Horan,
Manager, Environmental Control

cc: Stanley Moskal
Inspector Supervisor - Northern Unit
Office of Waste Management
1304 Goose Run Road
Fairmont, WV 26554-1392

James A. Gaston
WV DEP, Environmental Inspector
Office of Waste Management
Compliance Monitoring and Enforcement
1060 Chapline Street, Methodist Building #303
Wheeling, WV 26003



file

PPG Industries, Inc.
P.O. Box 191 New Martinsville, West Virginia 26155 USA Telephone: (304) 455-2200

J. Thomas Horan
Manager, Environmental Control
Natrium Plant
Chemicals Group

February 17, 1998

Certified Mail Return Receipt Requested

James A. Gaston
WV DEP, Environmental Inspector
Office of Waste Management
Compliance Monitoring and Enforcement
1060 Chapline Street, Methodist Building #303
Wheeling, WV 26003

Dear Mr. Gaston:

**Subject: Notice of Violation Response - Sodium Hydroxide Spill, PPG Industries, Inc.,
Natrium, WV, EPA ID No:WVD004336343**

This letter is in response to the Notice of Violation dated December 16, 1997, regarding the spill of 50% sodium hydroxide to the Ohio River. Please find in the attached a summary of the corrective actions taken to prevent the reoccurrence of a similar incident.

If you have any questions, please give me a call at (304) 455-2200 extension 3310.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Thomas Horan', written over a horizontal line.

J. Thomas Horan,
Manager, Environmental Control

Attachment:

cc: ~~Stanley Moskal~~
Inspector Supervisor - Northern Unit
Office of Waste Management
1304 Goose Run Road
Fairmont, WV 26554-1392

Jeanne Sofield, (3HW100)
U.S. EPA Region III, Administrative Enforcement Unit
841 Chestnut Building
Philadelphia, PA 19107

The following is a summary of the corrective action items that PPG has determined to be appropriate based on a review of the contributing factors to the spill of 50% Sodium Hydroxide from the caustic barge SCC802 on April 20, 1997. PPG has implemented a series of measures to prevent a reoccurrence of the overflow of a caustic barge during the loading process. Some of the measures were implemented immediately and other measures were implemented sometime thereafter or will be implemented in the future. A summary of those actions taken and additional items that are in progress are as follows:

1. The loading of caustic barges was suspended immediately until temporary operating procedures were developed and put in place to assure that a barge would not overflow during the loading cycle.
2. Temporary operating procedures were implemented effective April 27, 1997. Mike Bohrer, caustic shipping supervisor, personally trained each of the personnel involved in the transfers to ensure a complete understanding of the temporary procedure. After the overflow, no barges were loaded until this procedure was effective.
3. Frank Gilmore, Manager, Customer Quality Assurance, met during the week of May 12, 1997 with all the "Coast Guard Licensed" personnel and reviewed their responsibility during the transfer operation. This included a discussion of the fact that their "license" could be revoked or suspended by the Coast Guard and that they can be held personally responsible for any spill.
4. Battery powered high level probes were procured and placed in two of the manways on the barge during the loading cycle. These probes alarm if the level in the barge reaches the probe. The probes are adjustable so that they can be adjusted to alarm at different heights depending on the particular barge that is being loaded. These probes are being used until a permanent high level probe system is installed.
5. The PICV (Person in Charge Vessel) has available copies of the barge tables for his confirmation of the proper amount of material to transfer prior to commencing the transfer. Training has been held for the PICV's to assure that they can understand the barge strapping tables such that they can confirm that the proper amount is scheduled to be transferred before the actual transfer takes place. In addition, a supervisor will confirm the volume to be transferred when barges foreign to our location are loaded.
6. A television camera has been installed on the concrete icebreaker south of the caustic barge loading area. The camera is positioned so the load header can be monitored constantly as well as the entire length of the barge including all of the hatches. The monitor is located inside the loading personnel shelter. This permits constant monitoring of the transfer by the loading personnel when they are not actually on the barge.
7. The painted windows on the west side of the personnel shelter which limited the visibility of the loaders have been replaced with tinted glass. The tinted glass allows the loading personnel better visibility of the barge from inside the shelter.

8. The temporary operation procedures that were previously implemented were replaced with operating procedures to reflect all the changes that have been implemented. These were then revised on October 28, 1997 and reflect the use of high level probes, barge inspection and calculation sheets, television monitoring of the barge and other procedures to prevent an overload situation.
9. PPG is in the process of installing permanent high level probes that will be placed in the manways prior to commencing any transfer operations. These probes will be interlocked with the automatic shutoff on the loading line and will cause the loading line valve to close in case the level in the barge is high enough to reach the probe. These probes will be adjusted to the proper height to assure that the barge will not be overfilled. Construction on installation of this system is scheduled to be completed by March 1, 1998.

Natrium RCRA Complaint Chronology

July 30, 1980 G&M proposal for mercury groundwater monitoring program.

April 1981 G&M report on evaluation of groundwater quality impacts at mercury pond. This document provides the background on the pond, as well as the basic hydrogeological study of the area around the pond. Also prepared during April of '81 were the groundwater assessment plan outline and the sampling and analysis plan for the mercury pond.

May 1981 EPA inspection.

January 1982 Natrium's first quarterly report explaining the groundwater monitoring system and the use of the reference well rather than a true hydrogeologic upgradient well. This document was submitted to EPA.

March 1982 EPA inspection.

May 12, 1982 Cover letter and second quarterly report to U.S. EPA referring to GM-0 reference well.

August 6, 1982 Third quarterly report plus cover letter to U.S. EPA, again referencing GM-0.

November 22, 1982 Fourth quarterly report from Natrium to U.S. EPA. Again GM-0 referred to as a reference well and not as an upgradient well.

November 22, 1982 Cover letter plus quarterly reports one through four were sent to West Virginia DWR/DNR.

January 7, 1983 Letter from West Virginia DWR requesting information on the monitoring system including the location of monitoring wells and other data. A response was sent January 14, 1983.

February 25, 1983 Letter and annual report sent to U.S. EPA including a statement on the location and the reason for GM-0, again reporting that it is not an upgradient well. This letter went to the state and EPA.

March 22, 1983 EPA inspection which concluded "no compliance problems" but some questions relating to the groundwater monitoring system.

May 4, 1983 EPA letter asking for more information on upgradient well. A copy of that report was sent on May 10, 1983, as well as an invitation to provide more information from Warren Dean.

August 11, 1983 Site inspection by the state under contract with EPA. The inspector asked questions about the construction but did not raise any contentions of noncompliance.

August 24, 1983 Request for additional information from the state, supplied by the plant on September 8, 1983.

September 29, 1983 Phone call from D. Donor of EPA, Region III, to Warren Dean to ask if we had found significant changes in the monitoring results. Warren replied that we had and we'd be sending information in to EPA.

September 30, 1983 A letter from Warren Dean to U.S. EPA and West Virginia notifying of significant change in the monitoring wells. Again, this letter mentioned the absence of an upgradient well and the use of a reference well.

October 11, 1983 Letter to EPA and the state proposing the G&M assessment plan outline. Absence of upgradient aquifer mentioned as a reason for GM-0 and the tentative schedule is included.

October-November 1983 Additional study and sampling at the plant by plant and G&M.

November 29, 1983 Notice of violation from the state, copied to U.S. EPA alleging deficiencies in the groundwater monitoring system.

December 21, 1983 Letter from Warren Dean to West Virginia answering November 29, 1983, letter on groundwater monitoring. Requested conference if the state had any questions.

December 22, 1983 Letter to EPA and state reporting on results of the G&M study and the site assessment. This was the document which was lost by the EPA mailroom.

February 22, 1984 Letter and EPA forms, semiannual well sampling results, sent from Warren Dean to EPA and the state.

March 22, 1984 EPA complaint.

[NOTE: Complaint filed over two years after EPA informed of groundwater monitoring system.]

April 2, 1984 PPG met with EPA in Philadelphia pursuant to PPG's request for an informal settlement conference. Three EPA people chose three different locations for upgradient wells.

April 5, 1984 Letter from D. Cannon to EPA sending on requested information (1981 Geraghty & Miller studies and documents).

April 17, 1984 DNR hazardous waste inspection.

April 18, 1984 Internal PPG meeting to discuss RCRA noncompliance issues at Natrium and complaint.

May 2, 1984 Submission by PPG of technical information requested by EPA as well as a proposal for groundwater monitoring put together by PPG to satisfy concerns of EPA and the state raised at the informal conference and in the complaint. No admission of liability or inadequate monitoring system. Included same essential plan currently approved by EPA. This is the critical date since this is when we submitted the program, which was eventually approved by EPA, but over a year later not finalized. PPG requested a meeting the week of May 7 with EPA.

May 9, 1984 Letter from D. Cannon to Ralph Siskind, EPA, again inviting a meeting and stating PPG's position.

May 21, 1984 Natrium semiannual sampling report to EPA and West Virginia.

June 7, 1984 Notice of noncompliance received from the state relating to hazardous waste inspection. No mention of the groundwater monitoring system.

June 15, 1984 PPG answer to RCRA complaint mailed to EPA Philadelphia.

June 15, 1984 Phone call between D. Cannon and R. Siskind at which D. Cannon repeated request for meeting with EPA and DNR and asked for a meeting early in July. R. Siskind said he would check into it and get back to D. Cannon.

July 16, 1984 Letter to R. Siskind from D. Cannon, again requesting meeting with EPA DNR. This letter protests the delay at EPA and states that PPG is anxious to resolve the enforcement action. Request meeting as expeditiously as possible.

July 23, 1984 Phone call from R. Siskind to D. Cannon setting up August 15 or 16 for meeting in Charleston.

August 16, 1984 PPG meeting with EPA and DNR in Charleston. State and EPA raised a number of questions about the technical proposal which had been submitted on May 2, 1984. EPA promised to make a decision on the fine within the next two weeks and stated that PPG need not make any technical reproposal until we received EPA's position on the fine. EPA would send a letter outlining EPA and DNR's proposed changes to PPG's technical proposal. (This was never received.) PPG agreed to respond to a number of technical comments raised by the state.

[NOTE: This meeting was held 3½ months after it was requested by PPG.]

August 27, 1984 Second 1984 semiannual sampling report submitted to EPA and the state.

September 17, 1984 Ken McGill of EPA sent G&M guidance on well construction at interim status facilities requested at the August 16, 1984, letter.

September 1984 D. Cannon made two or three attempts to call Ralph Siskind, but he never returned the calls.

October 10, 1984 D. Cannon finally made contact with Ralph Siskind. EPA agreed to reduce the penalty to \$5,000. D. Cannon told R. Siskind that PPG would consider the fine and send him the agreed upon reproposal based on the statements at the meeting of EPA and DNR.

[NOTE: This is eight weeks after August 16 meeting even though a response had been promised in two weeks.]

December 12, 1984 Letter from D. Cannon to R. Siskind confirming the telephone conversation of October 10, 1984, and responding to the proposal which EPA and the state presented to PPG at the August 16 meeting. PPG agreed to a number of changes requested and also refused to go

along with a number of changes explaining its position. D. Cannon promised to call R. Siskind to arrange a meeting in Philadelphia.

- December 18, 1984 D. Cannon met with R. Siskind to discuss PPG's latest proposal (submitted on December 12). At that meeting we essentially worked out all of the technical aspects of the project to my satisfaction and EPA's satisfaction. Almost all issues were viewed as resolved.
- December 20, 1984 Letter from R. Siskind to D. Cannon explaining the allocation of the \$5,000 fine to the different counsel of the complaint and saying that agreement must be reached within ten days or a hearing would be scheduled.(!)
- December 21, 1984 D. Cannon letter to R. Siskind sending technical information requested at the December 18 meeting.
- December 27, 1984 D. Cannon called R. Siskind about the "drop dead" letter of December 26. R. Siskind said he was under pressure to settle this case. Response was due by January 7.
- December 27, 1984 After meeting with Bob Duncan and obtaining his agreement, D. Cannon called R. Siskind to tell him PPG would settle on the basis of \$5,000 and the agreed upon technical proposal. R. Siskind agreed to draft a consent agreement.
- January 4, 1985 D. Cannon letter to R. Siskind at EPA confirming conversation of December 27, 1984. At this time the only remaining technical issue was the precise location of the downgradient well and the monitoring of organics. Both of these were later resolved. PPG agreed to put together a final technical proposal which it would send to EPA upon receipt of the consent agreement.
-
- January 9, 1985 K. Walborn called K. McGill, EPA, concerning the location of the downgradient well, and EPA designated a location which PPG agreed to at that time.
- January 14, 1985 K. Walborn talked to Cleeson Smith at G&M. He had no objection to the location discussed above.

February 5, 1985 Meeting with state to discuss permit. State pleased with application.

April 16, 1985 PPG internal meeting at Natrium at which we decided to send the revised technical proposal to EPA prior to receiving consent agreement since consent agreement obviously was not being prepared expeditiously. This would shorten response time later on.

April 22, 1985 RCRA inspection by state.

April 24, 1985 R. Siskind sent D. Cannon a copy of a draft consent agreement and consent order.

[NOTE: This is four months after it was promised by EPA.]

May 14, 1985 D. Cannon drafted a counterproposal for R. Siskind and distributed for internal review in PPG.

May 30, 1985 PPG sent revised technical proposal to EPA along with comments on draft consent order.

June 4, 1985 PPG corrects typographical error on May 30 proposal.

June 19, 1985 D. Cannon receives phone call from Jim Baker at EPA telling him that R. Siskind has left to join a private firm. J. Baker will be handling.

July 19, 1985 PPG received July 18, 1985, EPA letter from J. Baker to D. Cannon containing EPA comments on PPG's letter and revised technical proposal.

July 31, 1985 D. Cannon called J. Baker to ask where the technical comments were and was told that J. Baker would check into it. D. Cannon expressed concern that all the technical points had been worked out and that any substantive comments would be resisted strongly. In fact, he was concerned that anybody would even want to file technical comments at this late date. D. Cannon also expressed concern about the November 8 certification date, and Mr. Baker said he was well aware of it and would attempt to move along the technical comments.

August 2, 1985 Meeting between D. Cannon, R. Samelson, J. Osheka and M. Petroccia to discuss the RCRA amendments and the company's surface impoundments. At the time it was

determined to call J. Baker August 7, 1985, to see what progress had been made on the technical comments. At that time, if we were not satisfied with his response, we would tell him that we were going to consider requesting a meeting with the Regional Administrator in view of all of the above delays.

DCC:sdh